

United States District Court

RECEIVED

Northern District of Illinois

AUG 06 2012 *aw*

THOMAS G BRUTON  
CLERK, U.S. DISTRICT COURT

Plaintiff: Alvin F. Jones

vs.

Defendants: Jim Edgar, George Ryan,  
Rod Blagojevich, Patrick Quinn,  
James Alie Washington, Donald Snyder,  
Roger E Walker, Salvador Godinez  
George D. DeTeila ect.

12 C 6188

Judge Suzanne B. Conlon

Magistrate Judge Nan R. Nolan

### COMPLAINT

42 U.S.C. 1983 STATE, defendants: Governors, I.S.A.  
The above defendants in violation of Article V  
Section 8 State Constitution. In violation of The  
U.S. 5<sup>th</sup> Amendment; 14<sup>th</sup> Amendment.

### NATURE AND CAUSE OF ACTION

THE Illinois Department of correction is defying and Misapplying  
STATED law, Creating their own subjunctive rules and regulations  
by applying Mandatory supervised release as an after thought  
After 100% of The Petitioner's set sentence has been served,  
violating The Petitioners CONSTITUTIONAL Rights.

## I Federal Jurisdiction

A civil action arising under the United States Constitution or federal law.

## II. Parties

### A. Plaintiff

Full name: Alvin F. Jones

Prison Identification number: B32786

Current address: Western Correctional Center 2500 RTE 99 South  
Mt. Sterling IL 62353

### B. Defendants ARTICLE V SECTION 8 Supreme Executive Power:

1. full name: Rod Blagojevich

Current Job Title: IMPeach Governor of the State of Illinois

Current Work Address: Federal Prison

Defendant ARTICLE V SECTION 8 supreme executive Power:

2.

Full name: George Ryan

Current Job Title: Governor of the State of Illinois

Current Work address: Federal Prison

Defendant 3. 1 Federal Jurisdiction

Article V section 8 supreme executive Power

Full name: Gov Patrick Quinn

Current Job Title: Governor of State of Illinois

Current Work Address: 207 State House  
Springfield, IL 62706

Defendant 4. I.S.A.

Full name: Roger E Walker Jr.

Current Job Title: Director: Department of  
Corrections:

Current Work Address: 1301 Concordia CT  
Po Box 19277 Springfield IL 62794-9277

Phone (217) 522-2666

Defendant 5. I.S.A.

Full name: Donald Snyder

Current Job Title: Director: Department of  
Corrections

Current Work Address: 1301 Concordia CT  
Po Box 19277 Springfield IL 62794-9277

### III Litigation History

A. ☐ NO federal Lawsuits. In District Court Prior or Currently.

B. ☐ NO federal Lawsuits. In District Court Prior or Currently.

I Federal Jurisdiction

C.

Defendants

6. Article V section 8 supreme executive Power

Full Name: Jim Edgar

Current Job Title: Governor

Current Work Address: 207 State House Springfield,  
IL 62706 freedom information ACT.

D.

Defendant

I.S.A.

7.

Full Name: James Odie Washington

Current Job Title: IDOC Director

Current Work Address: Illinois Department of  
Correction, 1301 Concordia CT. PO Box 19277

1 Federal Jurisdiction

E.

Defendant

8.

I.S.A.

Full name: Salvador Godinez

Current Job Title: IDOC Director

Current Work Address: Illinois Department of  
Correction, 1301 Concordia Ct. Po Box 19277

F.

Defendant

I.S.A.

9.

Full name: George D. deTella

Current Job Title: Warden

Current Work Address: Stateville Correctional Ctr.  
Stateville, PO 112 Joliet, IL 60434

C. If your answer to B is yes, how many? 0 Describe the lawsuit(s) below.

1. Name of Case, Court and Docket Number

0

2. Basic claim made

0

3. Disposition (That is, how did the case end? Was the case dismissed? Was it appealed? Is it still pending?)

0

For additional cases, provide the above information in the same format on a separate page.

#### IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

*Prisoners must exhaust available administrative remedies before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). You are not required to allege or prove exhaustion of administrative remedies in the complaint. However, your case must be dismissed if the defendants show that you have not exhausted your administrative remedies, or if lack of exhaustion is clear from the complaint and its attachments. You may attach copies of materials relating to exhaustion, such as grievances, appeals, and official responses. These materials are not required to file a complaint, but they may assist the court in understanding your claim.*

A. Is there a grievance procedure available at your institution? Yes ☒ No ☐

B. Have you filed a grievance concerning the facts relating to this complaint?

Yes ☐ No ☒

Hon. Harry D. Leinenweber  
N.D. Ill., 2012

If your answer is no, explain why not

Court Jurisdiction U.S. ex rel Carroll vs Hathaway  
False Imprisonment Complaint.

C. Is the grievance process completed? Yes ☐ No ☒

## V. STATEMENT OF CLAIM

Place(s) of the occurrence Stateville NRC, Joliet CorrcTr, Western CorrcTrDate(s) of the occurrence <sup>1</sup> 3/15/1994 To 11/19/1996 <sup>2</sup> 5/17/2001 To 7/21/2005 <sup>3</sup> 4/2/2001 To 4/2/2019

State here briefly the FACTS that support your case. Describe what each defendant did to violate your federal rights. You do not need to give any legal arguments or cite cases or statutes. Number each claim in a separate paragraph. Unrelated claims should be raised in a separate civil action.

THE COURT URGES YOU TO USE ONLY THE SPACE PROVIDED. Federal Rule of Civil Procedure 8(a) requires only a "short and plain statement" of your claim showing that you are entitled to relief. It is best to include only the basic, relevant facts, including dates, places, and names.

[ Cause of action ]

Page 1

ENTERING IDOC Case number 91C66138301 ARM Robbery  
 Class & Sentence 6yrs 50 Percent Day for Day Credit 3yrs Maxout  
 ON 3/15/1994. ENTERING Date: 5/1/92 Max Date 3/15/94 6 Mths  
 Credit for good behavior. NO disciplinary infractions. The Parole  
 Board Appointed by The Gov Jim Edgar Extended my Sentence by  
 Adding 3yrs MSR after Maxout ON 3/15/1994 Physically incarcerated.  
 I found myself violated under The U.S. Constitution AND  
 The Illinois Constitution due process clause violated Double  
 Jeopardy clause violated AND separation of power clause  
 violated. 3/15/1994 Maxout The MSR Misapplied  
 Extending My Time UNTIL 11/16/96 I done 100 Percent  
 of A 50 Percent sentence entered AND order under  
 Case number 91C66138301. Gov: George Ryan, IDOC Director  
 Donald Snyder,

Gov: Jim Edgar, IDOC Director James Odie Washington,

Gov: Pat Quinn, Director Roger E Walker Jr., Warden: George

DeTella, Director: Salvador Godinez, Rod Blagojevich

[Cause of action]

Page 2

False Imprisonment ENTERING IDOC Case NUMBER  
 97C66146901 ON 1/23/1998 MAX OUT ON 5/17/2001  
 8yr sentence Markham Court House 50 Percent sentence  
 Day for Day Credit A Day serve A Day Credit (4) yrs  
 3 MSR EXTENDED My sentence To 100 Percent  
 which violated The Judge order 50 Percent sentence  
 NO disciplinary Tickets OR infraction during incarceration.  
 I then where violated by The Prison Review Board  
 Parole Board AFTER Making out on 5/17/2001  
 for a Control Substance offence. The Parole Board  
 violated me for a vett Hijacking which again I MAX  
 OUT ON 5/17/2001 The parole Board subjected Me  
 To double Jeopardy, Due process violation of my  
 Civil Rights by Extending my sentence term without  
 Jurisdiction. Violating the Separation of power  
 clause 5th 14th Amend ARTIC 1 & 2 of The State  
 and Federal Constitution. Gov: Rod Blagojevich  
 Director: Roger E Walker Jr. The Warden of NRC  
 Clinical Services: Parole Board of 2001 to 2005  
 violated My liberties by false imprisonment.

Note: 49 MTHs  
 False IMPRisonment:



[Cause of action]

Page 3

ENTERING IDOC ON 9-2-2001 Case number 01C66150601  
 VEH Hijacking sentence 29yr Day for Day 50 percent 14½ To  
 serve 11yr 6 MTHS To serve in physical incarceration 3yrs MSR  
 under supervise release in accord of Judge sentence guidelines  
 2015 Parole Terminate in accord of Constitutional guide lines  
 of Day for Day 50 percent. IDOC Projecting my outdate  
 2016 Parole Terminate 2019 which is in error. Which would  
 subject 5th 14th Amend violation Article 1 & 2 of State  
 Constitution due process clause and double jeopardy  
 Clause violation of US Constitution and State Constitution  
 Therefore civil liberties deprivation. Gov: Patrick Quinn  
 Director: Salvador Godinez, Warden Richard Young  
 Clinical Services Supervisor Jeff Ervin Counselor,  
 Paul Vincent, Parole Board is The Cause of  
 False imprisonment 4-2-12 MSR activates  
 And Terminate in 3yr 4-2-15. 11yr 6 Physical  
 incarcerated 3yrs MSR properly Applied without  
 any Constitutional deprivations.

There in Rest my Case:

Note: 49 MTHs

False Imprisonment:

## RELIEF REQUESTED

(State what relief you want from the court.)

- 1) Monetary Compensation.
- 2) Criminal records expunged.
- 3) Mental Rehabilitation.
- 4) Physical Rehabilitation.
- 5) Psychological Treatment of Mental Condition.
- 6) Family Counseling Therapy.
- 7) Replace Personal Properties loss.
- 8) Compensation for Pain and Suffering.
- 9) Compensation loss of Professional Career.
- 10) Compensation for The Pain and Suffering of false Imprisonment.

JURY DEMAND

Yes

☒

No

☐Signed this 30 day of July, 20 12.Alvin Jones

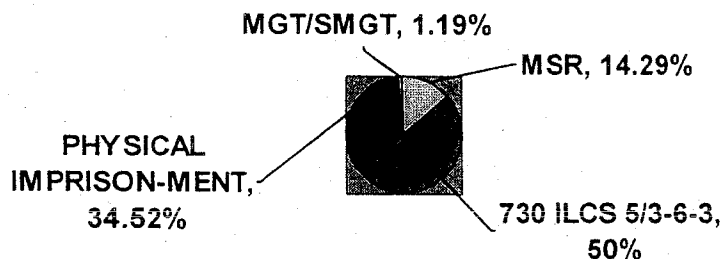
(Signature of Plaintiff)

Name of Plaintiff:	Inmate Identification Number:
Alvin F Jones	B32186
Address:	Telephone Number:
Western Correction Ctr 2500 RTE 99 SOUTH MT. Sterling IL 62353	(217) 773-4441

scope of authority by unlawfully imposing extensions to sentences. "The Illinois Department of Corrections has no vested Authority to determining what law shall be, and intelligible standards to guide Administrative Agencies in rule making must be supplied by the legislature." People ex. rel. Colletti v. Pate 31 Ill. 2d 354, 201 N.E. 2d 390.

### ARGUMENT FOUR

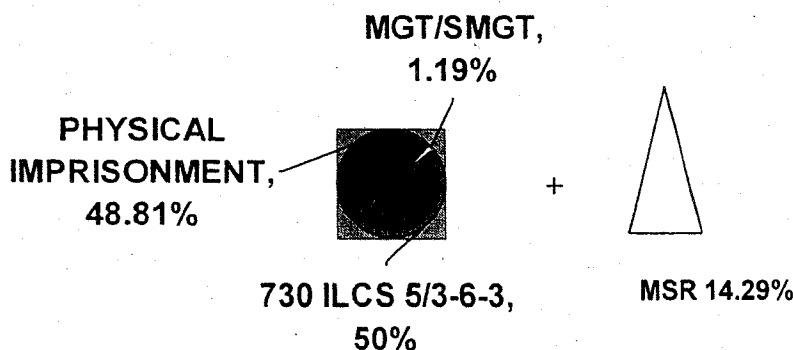
#### SENTENCES ILLUSTRATED ACCORDING TO THE LAW



As the Court can see, the full effect is given to 730 ILCS 5/3-6-3 as the statute is written, 50% of the set sentence receives day for day good conduct credits, 34.52% of set sentence is spent in physical custody, 1.19% is 90 days meritorious good time, and 14.29% is MSR. This clearly shows the sentence served at 100% as the statute dictates.

The following example will show the Court how the Illinois Department of Corrections has calculated the petitioner's sentence making the petitioner entitled to the relief sought through the "Great Writ" currently before this Court. The following shows just how grossly the Illinois Department of Corrections has misapplied the statutes governing sentence calculation, and violating the petitioner's Constitutional Rights by imprisoning petitioner more than 100% of the set sentence.

#### SENTENCE ILLUSTRATED AS CALCULATED BY I.D.O.C.



As the Court can see, the Illinois Department of Corrections is not giving 730 ILCS 5/3-6-3 it's full effect as written per statute thus restraining a convicts inherent liberties longer than the set

ILLINOIS DEPARTMENT OF CORRECTIONS  
OFFENDER TRACKING SYSTEM RM  
OFFENDER CUSTODY HISTORY

PAGE 1  
RUN DATE 06/20/12  
RUN TIME 14.19.51

NAME: JONES, ALVIN  
DATE OF BIRTH: 06/08/1971

IDOC #: B32786  
CURRENT STATUS: IN CUSTODY  
CURRENT LOCATION : WESTERN ILLINOIS

## RECORDED PERIODS OF IDOC INCARCERATION

MVMT DATE	MVMT TYPE	PARENT INST
08/16/2004	ADMIT IN	STATEVILLE
05/17/2001	PAROLE OUT	PINCKNEYVILLE
01/23/1998	ADMIT IN	JOLIET
11/19/1996	DISCHARGE OUT	PONTIAC
08/16/1996	PAROLE OUT	PONTIAC
09/22/1995	ADMIT IN	JOLIET
03/15/1994	PAROLE OUT	MENARD
05/01/1992	ADMIT IN	JOLIET

## MITT/SENTENCE INFORMATION

01C66150601	COOK	AGG VEH HIJACKING/PASS <16 YRS	CLASS YR MO DAY
MITT ADMIT: 08/04/2009	SENT DATE: 07/01/2009	DISC/REM DATE:	CL:X 0029 00 0000
97C66146901	COOK	MANU/DEL 15/+GR COCAINE/ANALOG	CL:X 0006 00 0000
MITT ADMIT: 01/23/1998	SENT DATE: 01/16/1998	DISC/REM DATE:	01/11/2003
97C66146901	COOK	CARRY/POSS FIREARM/PUBLIC/2ND	CL:3 0005 00 0000
MITT ADMIT: 01/23/1998	SENT DATE: 01/16/1998	DISC/REM DATE:	01/11/2003
98CR308	COOK	FELON POSS/USE WEAPON/FIREARM	CL:3 0002 00 0000
MITT ADMIT: 05/29/1998	SENT DATE: 05/06/1998	DISC/REM DATE:	01/11/2003
95C66073701	COOK	CONT. SUBS ACT-UNAUTH POSS	CL:4 0001 00 0000
MITT ADMIT: 09/22/1995	SENT DATE: 09/14/1995	DISC/REM DATE:	11/19/1996
91C66138301	COOK	ARMED ROBBERY	CL:X 0006 00 0000
MITT ADMIT: 05/01/1992	SENT DATE: 04/24/1992	DISC/REM DATE:	08/18/1996

\* THE CUSTODY HISTORY REPRESENTED IN THIS DOCUMENT IS TAKEN FROM THE ELECTRONIC RECORDS MAINTAINED IN THE ILLINOS DEPARTMENT OF CORRECTIONS BASED ON MASTER FILE PAPER RECORDS. MASTER FILES FOR EACH OFFENDER ARE CURRENTLY KEPT IN STORAGE AT DIFFERENT ILLINOIS DEPARTMENT OF CORRECTIONS FACILITIES AROUND THE STATE BASED ON THE LOCATION OF THE OFFENDER UPON REACHING DISCHARGE FOR THAT INCARCERATION FROM THE ILLINOIS DEPARTMENT OF CORRECTIONS. THE ELECTRONIC CUSTODY HISTORY DOCUMENT WAS CREATED IN AN EFFORT TO PROVIDE AN OVERVIEW OF THE CUSTODY HISTORY OF AN OFFENDER, TO PROCESS THE REQUEST MORE EFFICIENTLY, TO CUT THE COSTS, AND TO IMPROVE THE HANDLING TIME.

RECORD OFFICER/DESIGNEE:

